

(e) **BROKERS.**—Section 13904(a) of such title is amended to read as follows:

“(a) **IN GENERAL.**—The Secretary shall register, subject to section 13906(b), a person to be a broker for transportation of property subject to jurisdiction under subchapter I of chapter 135, if the Secretary finds that the person is fit, willing, and able to be a broker for transportation and to comply with this part and applicable regulations of the Secretary.”.

SEC. 306. APPLICABILITY OF FAIR LABOR STANDARDS ACT REQUIREMENTS AND LIMITATION ON LIABILITY.

(a) **APPLICABILITY FOLLOWING THIS ACT.**—Beginning on the date of enactment of this Act, section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) shall apply to a covered employee notwithstanding section 13(b)(1) of that Act (29 U.S.C. 213(b)(1)).

(b) **LIABILITY LIMITATION FOLLOWING SAFETEA-LU.**—

(1) **LIMITATION ON LIABILITY.**—An employer shall not be liable for a violation of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) with respect to a covered employee if—

(A) the violation occurred in the 1-year period beginning on August 10, 2005; and

(B) as of the date of the violation, the employer did not have actual knowledge that the employer was subject to the requirements of such section with respect to the covered employee.

(2) **ACTIONS TO RECOVER AMOUNTS PREVIOUSLY PAID.**—Nothing in paragraph (1) shall be construed to establish a cause of action for an employer to recover amounts paid before the date of enactment of this Act in settlement of, in compromise of, or pursuant to a judgment rendered regarding a claim or potential claim based on an alleged or proven violation of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) occurring in the 1-year period referred to in paragraph (1)(A) with respect to a covered employee.

(c) **COVERED EMPLOYEE DEFINED.**—In this section, the term “covered employee” means an individual—

(1) who is employed by a motor carrier or motor private carrier (as such terms are defined by section 13102 of title 49, United States Code, as amended by section 305);

(2) whose work, in whole or in part, is defined—

(A) as that of a driver, driver's helper, loader, or mechanic; and

(B) as affecting the safety of operation of motor vehicles weighing 10,000 pounds or less in transportation on public highways in interstate or foreign commerce, except vehicles—

(i) designed or used to transport more than 8 passengers (including the driver) for compensation;

(ii) designed or used to transport more than 15 passengers (including the driver) and not used to transport passengers for compensation; or

(iii) used in transporting material found by the Secretary of Transportation to be hazardous under section 5103 of title 49, United States Code, and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section 5103 of title 49, United States Code; and

(3) who performs duties on motor vehicles weighing 10,000 pounds or less.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. CONVEYANCE OF GSA FLEET MANAGEMENT CENTER TO ALASKA RAILROAD CORPORATION.

(a) **IN GENERAL.**—Subject to the requirements of this section, the Administrator of General Services shall convey, not later than 2 years after the date of enactment of this

Act, by quitclaim deed, to the Alaska Railroad Corporation, an entity of the State of Alaska (in this section referred to as the “Corporation”), all right, title, and interest of the United States in and to the parcel of real property described in subsection (b), known as the GSA Fleet Management Center.

(b) **GSA FLEET MANAGEMENT CENTER.**—The parcel to be conveyed under subsection (a) is the parcel located at the intersection of 2nd Avenue and Christensen Avenue in Anchorage, Alaska, consisting of approximately 78,000 square feet of land and the improvements thereon.

(c) **CONSIDERATION.**—

(1) **IN GENERAL.**—As consideration for the parcel to be conveyed under subsection (a), the Administrator shall require the Corporation to—

(A) convey replacement property in accordance with paragraph (2); or

(B) pay the purchase price for the parcel in accordance with paragraph (3).

(2) **REPLACEMENT PROPERTY.**—If the Administrator requires the Corporation to provide consideration under paragraph (1)(A), the Corporation shall—

(A) convey, and pay the cost of conveying, to the United States, acting by and through the Administrator, fee simple title to real property, including a building, that the Administrator determines to be suitable as a replacement facility for the parcel to be conveyed under subsection (a); and

(B) provide such other consideration as the Administrator and the Corporation may agree, including payment of the costs of relocating the occupants vacating the parcel to be conveyed under subsection (a).

(3) **PURCHASE PRICE.**—If the Administrator requires the Corporation to provide consideration under paragraph (1)(B), the Corporation shall pay to the Administrator the fair market value of the parcel to be conveyed under subsection (a) based on its highest and best use as determined by an independent appraisal commissioned by the Administrator and paid for by the Corporation.

(d) **APPRAISAL.**—In the case of an appraisal under subsection (c)(3)—

(1) the appraisal shall be performed by an appraiser mutually acceptable to the Administrator and the Corporation; and

(2) the assumptions, scope of work, and other terms and conditions related to the appraisal assignment shall be mutually acceptable to the Administrator and the Corporation.

(e) **PROCEEDS.**—

(1) **DEPOSIT.**—Any proceeds received under subsection (c) shall be paid into the Federal Buildings Fund established under section 592 of title 40, United States Code.

(2) **EXPENDITURE.**—Funds paid into the Federal Buildings Fund under paragraph (1) shall be available to the Administrator, in amounts specified in appropriations Acts, for expenditure for any lawful purpose consistent with existing authorities granted to the Administrator; except that the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate 30 days advance written notice of any expenditure of the proceeds.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Administrator may require such additional terms and conditions to the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

(g) **DESCRIPTION OF PROPERTY AND SURVEY.**—The exact acreage and legal description of the parcels to be conveyed under subsections (a) and (c)(2) shall be determined by surveys satisfactory to the Administrator and the Corporation.

SEC. 402. CONVEYANCE OF RETAINED INTEREST IN ST. JOSEPH MEMORIAL HALL.

(a) **IN GENERAL.**—Subject to the terms and conditions of subsection (c), the Administrator of General Services shall convey to the city of St. Joseph, Michigan, by quitclaim deed, any interest retained by the United States in St. Joseph Memorial Hall.

(b) **ST. JOSEPH MEMORIAL HALL DEFINED.**—In this section, the term “St. Joseph Memorial Hall” means the property subject to a conveyance from the Secretary of Commerce to the city of St. Joseph, Michigan, by quitclaim deed dated May 9, 1936, recorded in Liber 310, at page 404, in the Register of Deeds for Berrien County, Michigan.

(c) **TERMS AND CONDITIONS.**—The conveyance under subsection (a) shall be subject to the following terms and conditions:

(1) **CONSIDERATION.**—As consideration for the conveyance under subsection (a), the city of St. Joseph, Michigan, shall pay \$10,000 to the United States.

(2) **ADDITIONAL TERMS AND CONDITIONS.**—The Administrator may require such additional terms and conditions for the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

TITLE V—OTHER PROVISIONS

SEC. 501. DE SOTO COUNTY, MISSISSIPPI.

Section 219(f)(30) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334; 114 Stat. 2763A–220; 119 Stat. 282; 119 Stat. 2257) is amended by striking “\$55,000,000” and inserting “\$75,000,000”.

NOTICE OF HEARING

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the oversight hearing that was scheduled before the Subcommittee on Public Lands and Forests of the Senate Committee on Energy and Natural Resources regarding old-growth forest science, policy and management in the Pacific Northwest region has been rescheduled.

The rescheduled hearing will be held on Thursday, March 13, 2008, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to rachel.pasternack@energy.senate.gov.

For further information, please contact Rachel Pasternack at (202) 224-0883 or Kira Finkler at 202-224-5523.

CPSC REFORM ACT

On Thursday, March 6, 2008, the Senate passed H.R. 4040, as amended, as follows:

H.R. 4040

Resolved, That the bill from the House of Representatives (H.R. 4040) entitled “An Act to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission.”, do pass with the following amendment: